



City of Freeport
REGULAR COUNCIL MEETING MINUTES

December 8, 2020 9:00 AM
Council Chambers, Freeport City Hall

Council Members Present: Mayor Russ Barley, Councilwoman Amanda Green, Councilwoman Elizabeth Brannon, Councilman Eddie Farris, Councilman Mark Martin, Councilwoman Elizabeth Haffner

Staff Members Present: City Manager Charlie Simmons, City Clerk Malani Robinson, City Attorney Clay Adkinson, Planning Director Latilda Hughes-Neel, Finance Officer Sara Bowers, Billing Manager Debbie Roberts, Parks Director Travis Digges, Water Supervisor Larry Tuggle, Sewer Supervisor Robert Fawcett

1. Meeting Called to Order

The meeting was called to order at 9:00 AM by Mayor Barley in the Council Chambers of Freeport City Hall.

2. Invocation and Pledge of Allegiance

The invocation was given by Councilman Farris, followed by the Pledge of Allegiance to the American Flag.

3. Recognition of Guests

4. Consent Agenda

- a. Revenue and Expenditure Report
- b. Bills
- c. City Council Meeting Minutes- November 10, 2020

5. Public Comment on Consent Agenda

None.

6. Approval of Consent Agenda

Moved by: Councilman Farris

Seconded by: Councilwoman Haffner

To APPROVE the consent Agenda as presented.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

7. Consideration of Additions/Deletions to Agenda

City Manager Simmons requested to add the following items to the Agenda:

- Surveys and GeoTech Support for the Governmental Complex/Barrier Free Park
- Planning Department doors

8. Approval of Agenda with Additions/Deletions

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Haffner

To APPROVE the Agenda with the specified additions as presented.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

9. **Staff Reports**

- a. Water
- b. Sewer
- c. Parks
- d. City Manager

1. Surveys and GeoTech Support for the Governmental Complex/Barrier Free Park

City Manager Simmons opened by giving the floor to Engineer Knauer for insight on upcoming projects. Engineer Knauer approached the Council by noting that the latter part of the year had been dedicated to drafting plans for the Governmental Complex, the Barrier Free Park, and future development of the City of Freeport. Engineer Knauer continued by stressing the importance of being prepared to embark on pursuing grant money to assist these projects and by acquiring surveys of the anticipated parcels of land that would be used for the specific projects. Engineer Knauer informed the Council that the City did not have any surveys taken of the land and until this was done would not have any realistic working plans. Engineer Knauer proceeded to present concept plans of the Governmental Complex and Barrier Free Park with estimated GeoTech survey cost amounts. City Manager Simmons inserted clarification on the Barrier Free Park finishing plans, noting that the City has another year and a half to complete the project with approved grant funds. Engineer Knauer also noted that it was included in the commitment of the property acquisition. Councilwoman Green asked for clarity on the absence of a survey being conducted. Engineer Knauer and City Manager Simmons clarified on a previous boundary survey that was conducted to secure the property, however a topographic survey was never conducted which prohibits an accurate design. A motion for approval of the survey and conceptual was requested.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

To APPROVE moving forward with the survey and conceptual plans.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

2. Planning Department Doors

City Manager Simmons presented the Council a quote for new doors for the Planning Department, seeking approval to move forward. Finance Officer Bowers noted that the funds to purchase the doors would be coming from the safety funds. Councilwoman Green inquired for additional quotes to which City Manager Simmons informed her that this was the only one he could secure.

City Attorney Adkinson informed the Council that an additional motion would be needed to authorize the expenditure of the repurposed Fire Impact Fees that are now Safety Funds for this purpose.

City Manager Simmons also expressed his gratitude to each department in their assistance with holiday decorations and parks. City Manager Simmons also noted that he would be meeting with Mr. Bob Beasley for assistance with redistricting. City Attorney Adkinson noted that the redistricting would be right in line with other redistricting in 2021 conducted by the state and federal government.

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

To move forward with purchasing new doors for the Planning Department.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

Moved by: Councilwoman Brannon

Seconded by: Councilwoman Green

To AUTHORIZE use of the Safety Funds to purchase the Planning Department doors.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

3. City Disconnects

City Manager Simmons informed the Council that in the month of November the City did not conduct disconnects and he would like to do the same for the month of December. City Attorney Adkinson gave counsel on the appropriate motion.

Councilwoman Green inquired about the letter received from Senator Gainer and the deadline for his appropriation forms. City Manager Simmons informed the Council that prior to receipt of the letter, Mayor Barley and he had already initiated the process of submitting a list of projects that the City anticipated to pursue to Senator Gainer. City Manager Simmons noted that he forwarded the letter to Liberty Partners and Engineer Rouchaleau so that they could have the project packets complete and ready for submission, he met with them on Monday morning. Councilwoman Green wanted to know when the list of projects was agreed upon and if the Council had pre-approved them. City Manager Simmons informed the Council that the list had been approved in the prior year and was pending execution, which is why he presented the items to Senator Gainer. Mayor Barley remarked that they also added the sewer and septic issues affecting the Bay area. City Attorney Adkinson advised the City Manager to circulate the project list to the Council to review and revise if needed, and to identify the hard cap submittal deadlines with Liberty Partners prior to submittal to Senator Gainer before the upcoming session cycle. Councilwoman Green expressed her concern about the fast approaching deadline of January 4, 2021, to which City Attorney Adkinson advised verification. Councilwoman Brannon noted her experience with submitting proposals noting that the deadline usually occurred a month before session for agenda preparedness. City Attorney Adkinson noted that if the deadline were finite, then the Council could hold a Special Meeting to discuss the project list. City Manager Simmons remarked that he would be responsible for finding out the deadlines for the 2020-2021 Senate Local Funding Initiatives as well as the House deadline.

Moved by: Councilman Farris

Seconded by: Councilwoman Brannon

To ratify the prior abatement of disconnects for the month of November and to approve the abatement of disconnects for the month of December.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

e. City Clerk

1. 2021 Holiday Schedule

City Clerk Robinson presented the Council an updated version of the Holiday Schedule for the 2021 year, noting that there was an issue with the Christmas holiday falling on a weekend. City Clerk Robinson noted that staff members were concerned about having one day off for the Christmas Holiday when the personnel policy called for two days. Planning Director Hughes- Neel noted that the policy called for two days off for staff members and requested for the Council and City Manager to honor it. The City Council agreed to honoring the two day off policy and called for City Manager Simmons to decide on the additional day off. City Manager Simmons decided to give the staff the Thursday and Friday off before Christmas. A motion was requested to approve the 2021 Holiday Schedule with the additional Christmas Holiday added.

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

To APPROVE the 2021 Holiday Schedule with the December 23 date added.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

f. Finance

1. Employee Uniform Allowance

Finance Officer Bowers presented the Council the Employee Uniform Allowance for approval.

Moved by: Councilwoman Brannon
Seconded by: Councilwoman Haffner

To APPROVE the proposed Uniform Allowance.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

g. Billing

h. Planning

1. 2nd Reading/ LDC Ordinance Parking Requirements

Planning Director Hughes-Neel presented the amended ordinance which would establish a code ensuring that the number of bedrooms in a new residential build would have adequate amount of parking on site. Planning Director Hughes-Neel asked for a motion to hold a second reading of the ordinance and to adopt.

Public Comment: Freeport Resident Mr. Puckett wanted to know if this new policy would affect already existing builds. Planning Director Hughes-Neel informed the resident that the policy would only affect future builds and projects.

The Ordinance would be recorded as 2020-11.

Moved by: Councilwoman Brannon
Seconded by: Councilman Farris

To hold a second reading of the ordinance and to adopt.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

i. Legal

1. Verandas Litigation

City Attorney Adkinson gave the backstory to the revised Verandas order presented before Council previously, which wanted to be reconsidered for townhomes as opposed to the intended apartments, along with the reduction to two-story height build along. City Attorney Adkinson requested a motion for Council to reconsider the revised Verandas Phase II development order considering changes.

City Attorney Adkinson informed the Council that following the past motion, the Council would be able to hear the presentation from the developers with updated changes based on concerns received from the Public and Council at previous meetings. City Attorney Adkinson noted that the property had been noticed and brought up to code, and that the developer's representative had all certified mail and notices with them.

Moved by: Councilman Farris

Seconded by: Councilwoman Green

To reconsider the revised Verandas Phase II development order.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

2. Verandas Phase II Revisions

City Attorney Adkinson relinquished the floor to Curtis Smith, who would be speaking on the behalf of JAB Holding and presenting a revised plan for Verandas Phase II. Mr. Smith opened the discussion by presenting the revised plans based off the recommendations from the previous Council Meeting. The revisions included: reverting Verandas Phase II into townhomes; reducing the build to 97 townhomes units with more garages; creating traffic improvements with an additional entryway with a public right of way; an additional trash compactor; additional pool area with amenities; minor modifications for water and sewer, along with additional parking spaces. Councilwoman Green noted that the Council lacked copies of the revised plans and Planning Director Hughes-Neel prepared to furnish copies to the Council for review. The floor was opened to public comment.

Public Comment:

Mrs. Domborski an owner in the Veranda's spoke on the behalf of other dissatisfied owners in the community and presented a list of grievances they would like addressed before Council approved for the developer to conduct any further builds in the Veranda's community. Some of the grievances expressed included:

- an overflow of trash due to inadequate disposal units for residents, posing a public health concern.
- insufficient parking spaces for townhomes
- no pest control
- flooding due to lack of gutters
- poor landscaping resulting in lack of grass and dying plants
- no working sprinklers
- broken pool gates and residents were furnished keys that do not access the one working gate
- raised HOA fees without a responsive HOA
- no handicap parking

Mrs. Domborski concluded her comments by noting the appropriate suggestions homeowners in the Veranda's would like met before Council approved the new plans.

Mr. Puckett, a homeowner in the Veranda's approached the Council requesting that the City intervene by enacting rules and standards that protected residents from developers.

Mrs. Askew, a neighboring homeowner to the Verandas Community, informed the Council that due to the development going on with the Verandas the access road to

her home (Sunflower Lane) has been damaged, and her property has faced severe flooding with no intervention from the developers.

Public Comment was closed.

Sasha Eastburn, the attorney for the developers, opened by addressing some of the concerns and comments expressed by the public. Attorney Eastburn informed the Council that the developer's engineering team would be flying a drone over Mrs. Askew's property to assess the damage and planned to remedy the flooding by placing gutters on the back units. Councilwoman Haffner inquired on the timeline of the developer's response to which Attorney Eastburn stated a month. Attorney Eastburn also noted that the HOA board has addressed the trash issue by contacting Waste Management to secure a bigger dumpster, increasing the size to 10 feet. Attorney Eastburn also presented a letter she received from the Walton County Health Department, stating they found no issues with the dumpster following their investigation. City Attorney Adkinson requested that a copy of this letter be furnished for the record. Attorney Eastburn expressed to the Council that the developers were doing all that they could to resolve the current issues. Councilwoman Haffner asked for clarity on the trash issue, inquiring if non-residents were dumping their trash there, as well as the frequency of trash pickup. Attorney Eastburn informed the Council that objects such as couches were being dumped there, which was causing an overflow, noting that the developers contracted an outside company to clean the area once a week, with twice a week dumping; also stating that they were anticipating putting cameras up for further investigation.

Councilwoman Green queried about the flooding issues throughout the development. Mr. Smith responded to Councilwoman Green by informing her of the stormwater blockages due to sand issues. City Attorney Adkinson sought clarity on an agreement being made that would establish on-site stormwater maintenance for the Phase II section. City Attorney continued by advising that the Development Order add language that ensured that the developers would address the road issues on Sunflower Lane by having it repaired prior to any further development being commenced and that all stormwater runoff from Phase II would not affect Sunflower Lane. Mr. Smith agreed to adding the recommend stipulations into the agreement. Councilwoman Brannon asked for clarity on which part of the development was contributing to the flooding onto Sunflower Lane. City Attorney Adkinson informed the Council that all issues caused by the Development Order in Phase I was now closed, therefore the Council had no room to respond unless it becomes a code complaint or violation. City Attorney Adkinson gave legal counsel on the issue at hand, informing the Council that their power resided in establishing conditions in the new Development Order that hold the developers accountable for their actions and to remedy the flooding onto Sunflower Lane.

Planning Director Hughes-Neel offered clarity on the flooding issues with Mrs. Askew, noting that the complaints were forwarded to Engineer Rouchaleau and City Manager Simmons for review and direction. Planning Director Hughes-Neel

informed the Council that she recommended the developers put buffers on all units along the northside of Sunflower, directing the stormwater into the approved area. Planning Director Hughes-Neel also noted that Mrs. Askew would be approached with a right-of-way entry agreement that allowed the developers to go in and grade Sunflower Lane. Planning Director Hughes-Neel spoke on the Phase II revisions and apologized for the lack of a copy being furnished to Council. City Attorney Adkinson suggested that the issue be tabled until the end of the agenda so that Council had the opportunity to review the site plan before deciding.

City Manager Simmons informed the Council that the January 4 deadline issued by Senator Gainer was an internal deadline, and at the January 12 meeting he would have Liberty Partners present the official list. February 2, 2021 would be the official deadline to have the City's list of projects submitted. Councilwoman Haffner expressed her concerns about being in attendance for that meeting, however she approved of the Council moving forward with their decision making.

Moved by: Councilwoman Green

Seconded by: Councilwoman Haffner

To table the decision until the end of the Agenda.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

j. Engineering

1. SRF Phase 1 Wastewater Improvements- Proposed Change Order

Engineer Knauer presented the proposed change order to the Council allowing them to purchase equipment that would allow better control of the flow from the lift stations. The funds to purchase the equipment were approved to come out of SRF Grant Funds being that the project was underbudget. The proposed item is \$27,949. Council Members reviewed the proposed change order.

Moved by: Councilwoman Brannon

Seconded by: Councilman Farris

To APPROVE the proposed change order.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

10. Old Business

11. New Business

a. Mayor Russ Barley

1. Extension of City Manager Contract

Mayor Barley reminded the Council that the current City Manager contract expired on January 31, 2021, and that the Council needed to decide on the extension of the contract. City Attorney Adkinson informed the Council that they had the power to extend the contract an additional 6 months. Councilwoman Green believed it would be in the best interest of the Council to extend the contract, to alleviate stress on a potentially new Council. Council members began to discuss the importance of searching for a permanent City Manager. City Attorney Adkinson gave insight on the proper extension of the contract. City Attorney Adkinson agreed to prepare the new contract, submit it to Mayor Barley to have City Manager Simmons sign it, and represent it.

Mayor Barley also informed the Council that the City had received two awards, one being a Gene Wright Municipal Resilient Award from the Florida League of Cities, and the other being a City of The Year Award from Vouture Locale, a Veterans group that recognized the City for their veteran memorial contributions. Mayor Barley was invited to attend a state dinner on behalf of the City to accept the award on January 16, 2021.

Moved by: Councilwoman Green

Seconded by: Councilwoman Brannon

To extend the City Manager contract to the full 12-month option.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

- b. Councilwoman Brannon
- c. Councilman Farris
- d. Councilwoman Green
- e. Councilwoman Haffner
- f. Councilman Martin

12. Tabled Verandas Phase II

Moved by: Councilwoman Green

Seconded by: Councilman Farris

To APPROVE the Verandas Phase II Revision with the requested stipulations.

The vote was as follows:

Councilman Farris: aye

Councilman Martin: aye

Councilwoman Haffner: aye

Councilwoman Brannon: aye

Councilwoman Green: aye

Carried

13. Public Comment

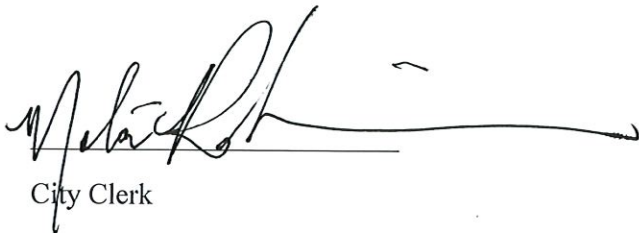
14. Adjournment

Mayor Barley motioned to adjourn. The meeting adjourned at 10:17AM.

A handwritten signature in black ink, appearing to read "Barley", written over a horizontal line.

Mayor

ATTEST:

A handwritten signature in black ink, appearing to read "Michael R. H.", written over a horizontal line.

City Clerk